

THE TOWN OF MERRIMAC

S6911 State Highway 113 - P.O. Box 115

Merrimac, WI 53561

MINUTES OF THE TOWN BOARD MEETING

Wednesday, June 5, 2013

Present were Steve Peetz, Chair, Supervisor Terry Frosch, Interim-Supervisor Tim Healy, and Tim McCumber, Town Administrator & Clerk – Treasurer.

BOARD OF REVIEW: Present were Steve Peetz, Chair, Supervisor Terry Frosch, Interim-Supervisor Tim Healy, and Tim McCumber, Town Administrator & Clerk – Treasurer. McCumber reported the assessment is 35% complete and most likely won't be complete until August/September. Motion to adjourn to a date to be determined by Peetz, second by Healy. Motion passed.

Chairman Peetz called the **TOWN BOARD MEETING** to order. McCumber confirmed the meeting had been properly noticed. The board considered approval of minutes of the town board meeting of May 1, 2013 and the special town board meeting of May 29, 2013. Motion to approve was made by Peetz to approve, second by Frosch. Motion passed. The board reviewed the financial reports and approval of bills. Motion by Peetz to approve, second by Frosch. Motion passed. Under **PUBLIC COMMENT**, Richard Grant commented that the cleanup day is a wonderful service and thanked the board for continuing to do it. Laura Olah, Citizens for Safe Water at Badger (CSWAB) appeared and said she has regular and monthly calls with the Dept. of Natural Resources and that she does that to consolidate her questions. She asked about surface scrapes of soil and is following up on that. CSWAB has asked the BOMC to request a proposal to look at the potential for additional cleanup and restoration at the settling ponds. They asked about the Clean Water Act and whether or not the Army would need a permit and the answer was yes. The EPA has issued a toxicity value for cleanup of DNT and that their consultant is working with the EPA on that. McCumber said that Woody Myers from the DNR called the town and explained the EPA provisional standards for DNT were only for evaluation purposes at SuperFund sites and that they classified DNT as a tier III toxin which means it is of lowest concern. He said that the standards will not impact the cleanup at Badger. Olah said that CSWAB has questions about that information. Under **CORRESPONDENCE**, the town received an email from Ron Grosse regarding trees along the Richard A Grant Park easement; a letter from Reinhart challenging Devil's Heads 2013 assessment which McCumber noted has not been determined yet; the town also received a letter regarding a possible referendum from the Town's attorney stating the process of referendum is not legal and is not part of the process for creating a sanitary district. Under **REPORTS AND ANNOUNCEMENTS OF OFFICERS AND COMMITTEES**; Grant spoke regarding the IBOMC meetings and he feels the meetings are not being properly noticed. In added that in March 2010 meeting was posted as the Interim BOMC and the name of the committee was changed by dropping the word term Interim on the May agenda of that year. He noted the county board did not take any action to change the name and feels that any actions taken by the group could be deemed void based on the simple fact they are not being properly noticed. He emailed the chair for the Land Use committee to discuss this matter and the DNR's planning process for the planning for the property. The last IBOMC meeting strayed from the agenda and there were discussions about the water system. He talked about illegally posted meetings in another community and how that meeting got tossed and the members of the board were ticketed. There was no **OLD BUSINESS**. Under **NEW BUSINESS**, the board considered the following liquor licenses: **CLASS "B" COMBINATION LICENSE:** Joseph P. Vittengl, S4116 Whispering Pine Dr., Baraboo, WI 53913, Agent for Ski Enterprise Corporation of Wisconsin, Inc., d/b/a Devil's Head Resort and Convention Center, S6330 Bluff Rd., Merrimac, WI 53561. Jennifer Canterbury Risgaard, 317 RiverWood Bend, DeForest, WI 53532, Agent for JMT Enterprises of Wisconsin, Inc., d/b/a The Old

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Schoolhouse Restaurant, E13887 Cty Rd. DL, Merrimac, WI 53561 DOCKSIDE; **CLASS "A" COMBINATION LICENSE:** Charlie C. Fuchs, 8425 Hwy Y, Sauk City, WI 53583, d/b/a Lakeside Hardware, E12695 Hwy 78, Merrimac, WI 53561; **CLASS "B" BEER LICENSE:** Merrimac Conservation Club, E13535 STH Hwy 113 & 78, Merrimac, WI 53561. Agent, Marty Senger, P.O. Box 262, Merrimac, WI 53561, Merry Mac's Campground, LLC., E12995 Halweg Rd., Merrimac, WI 53561. Agent, Patrick Rehwinkel, 8202 Jade Dr., Lodi, WI 53555. McCumber found them to be in order. Peetz motioned to approve the licenses, Healy seconded. Motion passed. The board then considered a **CLASS "A" BEER LICENSE** to a **CLASS "A" COMBINATION LICENSE** for Moon Valley Resort, LLC, E13105 Hwy 78, Merrimac, WI 53561. Agent, Donald E. Anderson, 5856 East St., Waunakee, WI 53597. McCumber reported the current license allows for the sale of beer only with no consumption allowed. The owner is hoping to close the bait store and open an art gallery that sells Wisconsin items including beer and wine. The owner has a family conflict and could not attend tonight so he decided to withdraw the request for a license change. Motion by Peetz to deny the **CLASS "A" COMBINATION LICENSE** for Moon Valley Resort and to approve a **CLASS "A" BEER LICENSE**, second by Healy. Motion passed. The board then considered the annual audit as performed by Miller, Brussell, Ebben, and Glaeske, LLC. Motion to approve by Peetz, second by Frosch. Motion passed. The board finally considered a fireworks permit for Summer Oaks Condo Association on Saturday, July 6, 2013. McCumber reported the event has been successful for several years without incident. Motion to approve by Frosch, second by Peetz. Motion passed.

Motion to adjourn by Frosch, second by Healy.